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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,246	12/29/2000	Louis A. Lippincott	42390P9941	8803

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EXAMINER	
HO, THOMAS M	

ART UNIT	PAPER NUMBER
2134	

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/753,246	LIPPINCOTT, LOUIS A.	
	Examiner	Art Unit	
	Thomas M Ho	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 December 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-20 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Easter et al. and Elgamal et al.

In reference to claim 1:

Easter et al. (Column 6, lines 15- Column 7, line 23) discloses a computer product, comprising:

- first computer readable program code embodied in a computer usable medium to cause a computer to store a key associated with an encrypted code defining a unique hardware configuration, where the hardware configuration is the encrypted configuration constant. (Column 6, lines 15-35)
- second computer readable program code embodied in a computer usable medium to cause a computer to decrypt the encrypted code based upon the stored key, where the encrypted code is decrypted with the public key (Column 7, lines 15-23)

- third computer readable program code embodied in a computer usable medium to cause a computer to program a logic array based upon the decrypted key to establish a unique hardware configuration, where the logic array within the chip is based upon the decrypted key used to establish the hardware configuration. (Column 3, lines 65 – Column 4, line 10)

Easter et al. fails to explicitly disclose an program code to cause a computer to perform a decryption operation on encrypted information utilizing the unique hardware configuration.

(Elgamal et al. Figure 12c) discloses a method in which a computer with a hardware configuration in a computer is used to decrypt encrypted information using the Secure Sockets Layer Protocol.

Elgamal (Column 1, lines 10-20) also teaches that there is a need for confidentiality of communications in a network transmission.

It would have been obvious to one of ordinary skill in the art at the time of invention to further use the computer whose hardware had been configured to decrypt encrypted information it received such as SSL, or other encryption/decryption operations common to web usage, in order to fulfill the need to ensure confidentiality of computer network communications.

In reference to claim 2:

Easter et al. (Column 4, line 60 – Column 5, line 28) & (Column 4, lines 3-23) & (Column 6, lines 59-62) discloses the computer product claimed in claim 1, further comprising:

- fifth computer readable program code embodied in a computer usable medium to cause a computer to route encrypted information through a peripheral device to the logic array, where the logic array is where the data on the module is stored (Column 4, lines 3-23), and where information from the peripheral device, the CD-ROM or the disk drive is loaded, and where the information that is loaded includes the encrypted signed configuration signature. (Column 6, lines 59-62)

In reference to claim 3:

Easter et al. (Column 4, line 60 – Column 5, line 28) discloses the computer product claimed in claim 1, further comprising:

- fifth computer readable program code embodied in a computer usable medium to cause a computer to route the incoming information through a memory interface to the logic array, where the incoming information passes from a memory interface, the interface for the CD-ROM or disk which contains the key, to the module where the data is stored in the logic array.

In reference to claim 4:

Easter et al. (Column 4, lines 2-23) discloses the computer product claimed in claim 1, wherein the logic array includes a programmable an array of gates, where the logic array is a fusible set of wires available to logic at the other end.

In reference to claim 5:

Easter et al. (Column 4, line 60 – Column 5, line 8) discloses an electronic system comprising:

- at least one peripheral device, where the peripheral device is a CD-ROM, or a floppy disk drive which can read the flopping disk.
- a memory for storing a key associated with incoming information; and, where the floppy disk is an example of memory used for storing the key associated with incoming information, where the incoming information is the hardware configuration data.
- a chipset in communication with the at least one peripheral device, the chipset including circuitry to program an array of gates based upon the key associated with the incoming information, where the chipset in communication with the peripheral device is the module in communication with a CD-ROM drive or disk drive to read the key, where this information is later used program an array of gates based on that key. (Column 6, lines 25-31)

Easter et al. fails to explicitly disclose a method comprising decrypting the incoming information based on the programmed array of gates and circuitry to perform a decryption operation on the incoming information based on the configured array of gates. However, since the configuration data is ultimately used to configure a computer, it would have been obvious to one of ordinary skill in the art to use the hardware configured computer to decrypt encrypted transmissions that it received such as SSL, or

other encryption/decryption operations common to web usage, in order to allow any network transactions that involved encryption and decryption.

In reference to claim 6:

Easter et al. (Column 4, lines 60 – Column 5, line 35) discloses the electronic system claimed in claim 5, further comprising:

circuitry for routing the incoming information from a peripheral device through the configured array of gates, where the key from the peripheral device(the disk or CD-ROM drive) is loaded into the module compared with the data on the configured array of gates.

In reference to claim 7:

Easter et al. (Column 4, lines 60 – Column 5, line 35) discloses the electronic system claimed in claim 5, further comprising circuitry for routing the incoming information from a memory device, the disk or CD-ROM through the configured array of gates, where the key from the memory device(the disk or CD-ROM) is loaded into the module compared with the data on the configured array of gates.

In reference to claim 8:

Easter et al. (Column 5, lines 20-25) discloses the electronic system claimed in claim 5, wherein the memory is a non-volatile memory, where the nonvolatile memory is a ROM or diskette.

In reference to claim 9:

Easter et al. (Column 6, lines 15-50) discloses the electronic system claimed in claim 5, wherein the key is a public key, where the public key is Kp.

In reference to claim 10:

Easter et al. (Column 6, lines 15-50) discloses the electronic system claimed in claim 8, wherein the key is a non-public key, where the non-public key is Ks.

Claims 11 –17 are rejected for the same reasons as claims 1-7.

In reference to claim 18:

Easter et al. (Column 4, lines 3-23) discloses the method claimed in claim 15, wherein programming an array of gates based upon the key(column 6, lines 28-32) associated with the incoming information further comprises:

programming the array of gates to provide for a unique hardware configuration upon command, where the programmed array of gates contains the data which will provide for the unique hardware configuration (Column 5, lines 4-7), and where the programmed array of gates is also in itself a unique hardware configuration. (Column 4, lines 8-10)

In reference to claim 19:

Easter et al. (Column 5, lines 20-25) discloses the method claimed in claim 15, wherein programming an array of gates based upon the key associated with the incoming information further comprises:

receiving instructions from a processor, where receiving the key to be programmed may also be received from a "service processor".

Claim 20 is rejected for the same reasons as claim 8.

Conclusion

6. Any inquiry concerning this communication from the examiner should be directed to Thomas M Ho whose telephone number is (703)305-8029. The examiner can normally be reached on M-F from 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A. Morse can be reached on (703)308-4789. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)306-5484.

TMH

July 13, 2003

Andrew Caldwell

Andrew Caldwell